

Remarks

Applicants are grateful for the phone discussion between the Examiner and the Applicants' attorney on August 6, 2007, at which time several administrative matters were discussed. Specifically, the Examiner clarified that: 1) the Office Action was intended to be a Final; 2) Claims 4 and 28 were objected to but would be allowable but for their dependence on rejected base claims; and 3) the JP 07206545 citation on page 4 of the present Office Action was intended to be combined with the Axsom and Buergin references for rendering Claims 12-25 obvious under § 103(a).

The Office Action mailed August 1, 2007, has been carefully considered. Applicants respectfully disagree that the cited art discloses the single top plate structure and specifically reserve the right to file a continuation to prosecute this embodiment. However, for purposes of expediting prosecution with respect to what is believed to be mutually agreed upon patentable subject matter, namely the separation wall with a tying structure and double top plates, Applicants have cancelled dependent Claims 4 and 28 without prejudice and amended Claims 1-3 and 5; 12; and 26, 27 and 29. Claims 21 and 44 were previously cancelled. Thus, Claims 1-3 and 5-11; 12-20 and 22-25; and 27, 29-43 and 45-48 remain in the case

§103(a) Rejections

Claims 1-3 and 5-11 were rejected as obvious under the combination of Axsom, Buergin and Gebhardt. In response, independent Claim 1 has been amended to include the subject matter of otherwise allowable (pre-amended) Claim 4, namely a tying structure and double top plates. Claims 2, 3 and 5 have been amended to remove redundancies and further limit the claims according to subject matter disclosed in the originally filed specification.

Claims 12-25 were rejected as obvious under the combination of Axsom, Buergin and JP 6545. In response, the limitations of a tying structure and double top plate have been added to independent Claim 12 consistent with independent Claim 1.

Claims 26-27, 29-43 and 45-48 were rejected as obvious under the combination of Axsom, Buergin, Gebhardt and JP 6545. In response, independent Claim 26 has been amended to include the subject matter of otherwise allowable (pre-amended) Claim 28, namely a tying structure and double top plates consistent with Independent Claims 1 and 12. Claims 27 and 29

have been amended to remove redundancies and further limit the claims according to subject matter disclosed in the originally filed specification.

The Applicants submit that this Amendment places the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicants' attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward W. Rilee', with a stylized flourish at the end.

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